

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

VALASSIS COMMUNICATIONS, INC.,

Plaintiff,

v.

Case No. 06-10240

NEWS AMERICA INC., a/k/a NEWS AMERICA
MARKETING GROUP; NEWS AMERICA
MARKETING FSI, INC., a/k/a NEWS AMERICA
MARKETING FSI, LLC; and NEWS AMERICA
MARKETING IN-STORE SERVICES, INC., a/k/a
NEWS AMERICA MARKETING IN-STORE
SERVICES, LLC,

District J. Arthur J. Tarnow

Magistrate J. Paul K. Komives

Defendants.

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ORDER DENYING MOTIONS [224, 234, 238] WITHOUT PREJUDICE

Before the court are defendants' motion for leave to file a Daubert motion as to Dr. Bamberger, defendants' motion to exclude Dr. Bamberger's testimony, and plaintiff's motion to exclude Dr. Topel's testimony.

As a trial date has not yet been set, motions concerning the exclusion of testimony at trial are premature. The motions are DENIED WITHOUT PREJUDICE to re-filing when a trial is set.

SO ORDERED.

S/ARTHUR J. TARNOW
Arthur J. Tarnow
United States District Judge

Dated: August 13, 2009

06-10240

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 13, 2009, by electronic and/or ordinary mail.

S/THERESA E. TAYLOR

Case Manager